

**State of California
Office of Administrative Law**

In re:
**San Francisco Bay Conservation and
Development Commission**

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 11900

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

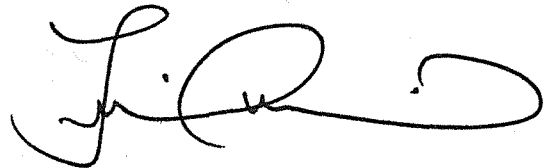
Government Code Section 11349.3

OAL Matter Number: 2019-1112-07

OAL Matter Type: Regular (S)

This regulatory action by the San Francisco Bay Conservation and Development Commission amends the San Francisco Bay Plan to: (1) amend the Major Conclusions and Policies section; (2) amend the Fish, Other Aquatic Organisms, and Wildlife findings and policies; (3) amend the Tidal Marshes and Tidal Flats findings and policies; (4) amend the Subtidal Areas findings and policies; (5) amend the Dredging findings and policies; and (6) amend the Shoreline Protection findings and policies. This action also amends Bay Plan Map 4 by adding a policy regarding the Middle Harbor Enhancement Area project in Oakland.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 12/27/2019.



Date: December 27, 2019

**Lindsey S. McNeill
Attorney**

**For: Kenneth J. Pogue
Director**

**Original: Lawrence J. Goldzband,
Executive Director**

Copy: Lawrence J. Goldzband

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 01-2013)

REGULAR

(See instructions on reverse)

For use by Secretary of State only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

DEC 27 2019

3:21 PM

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 209-1112-075	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

2019 NOV 12 P 3:31
OFFICE OF
ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY

San Francisco Bay Conservation and Development Commission

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER		PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) San Francisco Bay Plan - <i>Update of Findings and Policies regarding Bay Fill for Habitat, update of Bay Plan Map 4</i>	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) <i>LA 12/27/19</i>
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	REPEAL
TITLE(S) 14	Section 11900

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input checked="" type="checkbox"/> Other (Specify) Govt. Code Section 11354.1		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Lawrence J. Goldzband	TELEPHONE NUMBER (415) 352-3653	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) larry.goldzband@bcdca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

TYPED NAME AND TITLE OF SIGNATORY

Lawrence J. Goldzband, Executive Director

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 27 2019

Office of Administrative Law

Amend
Title 14, Division 5, Chapter 19
Sections 11900, As Underlined

§11900

Bay Plan Amendments

(a) Resolutions.

1. through 22. no change

23. On October 3, 2019, the San Francisco Bay Conservation and Development Commission approved Resolution No. 2019-05, adopting Bay Plan Amendment No. 1-17, which amended the San Francisco Bay Plan by: (1) amending the Major Conclusions and Policies section; (2) amending the Fish, Other Aquatic Organisms, and Wildlife findings and policies; (3) amending the Tidal Marshes and Tidal Flats findings and policies; (4) amending the Subtidal Areas findings and policies; (5) amending the Dredging findings and policies; and (6) amending the Shoreline Protection findings and policies.

24. On October 3, 2019, the San Francisco Bay Conservation and Development Commission approved Resolution No. 2019-06, adopting Bay Plan Amendment No. 3-19, which amended the San Francisco Bay Plan by amending Bay Plan Map 4 to add a policy regarding the Middle Harbor Enhancement Area project in Oakland.

(b) Map Changes.

1. through 23. no change

24. Revise Map No. 4 by adding a policy regarding the Middle Harbor Enhancement Area project in Oakland.

NOTE: Authority cited: Sections 66632(f), 66651 and 66652, Government Code. Reference: Section 66652, Government Code; and San Francisco Bay Plan, Parts I, III, IV, and V.

LM
per agency
request
12/27/19

66602, 66611,

~~and~~